

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:
NATIONAL SPECIALTY INSURANCE	:
COMPANY,	:
	:
Plaintiff, :	24-cv-3625 (VSB)
	:
-against- :	<u>ORDER</u>
	:
JAMES GANG CHARTERS, LLC and	:
JESSE MAYER,	:
	:
Defendants. :	
	:
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VERNON S. BRODERICK, United States District Judge:

On September 24, 2024, Defendants James Gang Charters, LLC and Jesse Mayer (collectively, “Defendants”) requested a stay in the instant case pending the appeal of Jesse Mayer’s criminal conviction pending in Florida. *See State of Florida v. Jesse James Mayer*, No. 19-10939-CF (Fla. Dist. Ct. App. 2023). On October 5, 2024, Plaintiff National Specialty Insurance Company informed this Court of their consent to the requested stay.

“[A] court may decide in its discretion to stay civil proceedings when the interests of justice seem to require such action.” *Kashi v. Gratsos*, 790 F.2d 1050, 1057 (2d Cir. 1986) (internal quotations omitted). “In deciding whether to enter a stay, courts in this district generally consider: the interests of the defendant, the interests of the plaintiffs in proceeding with the litigation, the public interest, and the interests of the court and third parties.”

Travelers Cas. & Sur. Co. v. Vanderbilt Grp., LLC, No. 01-cv-10695, 2002 WL 844345, at *2 (S.D.N.Y. May 2, 2002). Courts also look to the degree to which the civil issues overlap with the criminal issues. *See Volmar Distributors, Inc. v. New York Post Co.*, 152 F.R.D. 36, 39

(S.D.N.Y. 1993).

Here, there is a high degree of overlap between the criminal and civil claims as they both arise out of the same boating accident. Both parties consent to the stay, and both acknowledge that a stay will serve the ends of judicial economy and efficiency. I find that the interests of justice require a stay of this case pending the outcome of *State of Florida v. Jesse James Mayer*, No. 19-10939-CF.

It is hereby:

ORDERED that this action is stayed, and it is further

ORDERED that the parties shall file a joint letter noting the status of Defendant Mayer's criminal appeal on March 10, 2025, and every 90 days thereafter.

Dated: October 9, 2024
New York, New York



Vernon S. Broderick
United States District Judge